

July 21, 1982

The Marquette County Board of Commissioners met on July 21, 1982, at 7:30 PM, in the Commissioners Room of the Courthouse Annex.

Chairperson Racine called the meeting to order, roll call was held by County Clerk Henry A. Skewis, and the following roll recorded:
Present: Comm. Carlson, Farrell, LaMere, LaPin, Leone, Lowe, May, Steele, Villeneuve, and Racine.
Absent: Comm. Cheatham and Juidici.

Salute to the Flag was given followed by the Pledge of Allegiance.

It was moved by Comm. Leone, supported by Comm. Villeneuve, and carried that the July 7, 1982 minutes of the County Board of Commissioners meeting be approved.

Chairperson Racine opened the meeting for public comment. Robert Myers of Sands Township--Mr. Myers a citizen of Sands Township, and representative of the Sands Citizen For Safe Waste Disposal Committee spoke briefly on the inadvisability of placing a land fill in Sands Township. He stated that polution is evident in sites close to land fills, and that Sands Township has no alternate water supply. Sands Township sits on one of the largest water aquifers in the County and it is felt by the committee that no land fill should be located in a township that is not close to an alternate water supply. In the event that a land fill is placed in Sands Township, some of the restrictions that his committee would expect to be written into the agreement for land fill, would be that it must be engineered and constantly monitored, that a study should be conducted ahead of time as to where residents could obtain an adequate water supply in case polution occurs, an being as how this land fill would sooner or later become a nuisance it would be expected that the land fill operation would have its own access and egress road and not be situated along side of a regularly traveled county road. He explained that the present plan for land fill in Sands Township may be the least expensive, but it could prove to be the most dangerous, in the long run, estimated life of a land fill is approximately 20 years. Mr. Myers felt that further studies should be made in the process of incineration of waste materials.

Mr. David Kallio Star Rte. Gwinn, Michigan--Mr. Kallio indicated that he is indirectly responsible for any decision the County Board makes because he is a taxpayer in this county. He challenged the wisdom of having a land fill in Sands Township due to the fact that it would also be very close to the next obtainable water source for the City of Marquette, which would be the same aquifer as is under Sands Township. Mr. Kallio also felt that all of the costs are not necessarily written up in the proposed plan and that the land fill, as it is proposed, could cost far more over the life of the land fill than this particular type of land fill would be worth.

There being no further public comment Chairperson Racine closed the public comment section.

Duane Beard, County Controller, stated that at the present time no decision had been made by the County Board to spend money or even allocate dollars for a solid waste plan. The plan has not come before the County Board at this time and the laws governing and maintaining the operation of land sites only obligate the county to plan for land site, not to actually be involved in the operation of the land site.

The agenda for the July 21, 1982 meeting was discussed and approved with the addition of a closed session at the end of the meeting for the purpose of discussing the Applebaum Litigation.

A communication from Ted Oslin, Community Development Coordinator, explaining a letter received by the board from Carol Hoffman, Director Office of Community Development, regarding the ineligibility of county housing projects for the Small Cities CDBG Funding, was read.

Mr. Oslin was present and advised the board that the applications for eligibility under the Small Cities CDBG Funding project had been

filed and if Marquette County had been notified that funds may be available in September. He stated the applications had been accepted for review. Mr. Oslin then left the meeting.

A communication from John Beerling, County Road Commission, Superintendent/Engineer, regarding matching funds for federal funds to replace the Carp River Bridge, was read. Mr. Beerling was present and stated the need for the replacement of this bridge and the need for \$25,000.00 as matching funds to receive this Federal Grant. It was moved by Comm. Carlson, supported by Comm. Leone and unanimously carried on a roll call vote that the County Board extend a loan in the amount of \$25,000.00 to the County Road Commission and that it be repaid next year out of the Capital Improvement Fund, because that project was given a priority and an amount of \$25,000.00 appropriated for that project next year and at that time next year, the money will be repaid to the Contingency Account of the county.

A communication from Duane Beard, County Controller, regarding the 1983 Capital Improvement Program, was read. Attached was a compilation of Capital Improvement Projects priorities. The information was accepted and placed on file.

A communication from the Marquette Builders Exchange opposing the awarding of the Courthouse Renovation Contract to anyone except the lowest bidder, Omega Inc., was read and placed on file.

Nominations of persons to fill the vacancies on the various boards and commissions, where vacancies exist, were considered.

Commission on Aging - Township Category

It was moved by Comm. LaPin, supported by Comm. Leone and carried that Ella Alderton of Tilden Township be nominated.

Alger Marquette Community Mental Health Board

It was moved by Comm. Carlson, supported by Comm. LaMere and carried that Laverne Chappell of Marquette and Priscilla S. Burnham of Marquette be nominated.

Economic Development Corporation for the County of Marquette-Marquette County Township Association Category

It was moved by Comm. LaPin, supported by Comm. LaMere and carried that Joseph S. Siczka of Ely Township be nominated.

A report of the July 13, 1982 meeting of the Executive Committee was accepted and placed on file.

A recommendation of the Executive Committee regarding the number of county commissioners, that would be authorized to attend the August 16-19, 1982 MAC Conference, was read. The recommendation was that a total of four persons be authorized to attend. Comm. Farrell, May, and Lowe felt that a total of two persons should be authorized to attend. It was moved by Comm. LaMere, supported by Comm. LaPin and carried on a roll call vote, that four commissioners including the board chairperson be authorized to attend the MAC Conference.

Ayes: Comm. Carlson, LaMere, LaPin, ~~_____~~, Steele, Villeneuve, and Racine.

Nays: Comm. Farrell, Lowe and May.

Absent, or Excused: Comm. Cheatham and Juidici.

A recommendation from the Executive Committee regarding the proposed attendance rule for the Marquette County Board of Health, was read. After some discussion, it was moved by Comm. May, supported by Comm. Farrell, and carried that the County Board refer this matter back to the Executive Committee to determine whether or not this should apply to all appointive boards and commissions, and that the County Controller and Chief Civil Counsel do a legal review of the matter to assure any change would be in compliance with the County Boards policy.

A report of the July 14, 1982 meeting of the Finance Committee, was accepted and placed on file.

Three recommendations from the Finance Committee, regarding Notices of Intent to the Office of Community Development, Michigan Department of Commerce for funding projects under the Michigan Small Cities Community Development Block Grant Program, was read. It was moved by Comm. LaMere, supported by Comm. Steele and unanimously carried on a roll call vote, that the County Board concur with the recommendations and authorize the submission of Notices of Intent for Community Development Block Grant funding for the following listed projects; and the County Board Chairperson be authorized to execute the Notices of Intent.

a. Skandia and West Branch Township - Water System

Project will establish a community public water system to alleviate present groundwater pollution. Cost: \$410,000.

b. Skandia Township - Reconstruction of County Road 533

Project involves reconstruction of road so the County Road Commission will upgrade its classification to Class B, all season use, thereby making it possible for Johnson's Sawmill to continue operations year around. Cost: \$425,000.

c. Powell Township - Big Bay Water System

Project will improve current water supply system to correct negative aspects of the present system, which the Michigan Department of Public Health considers one of the poorest water supplies in the northern peninsula. Cost: \$450,000.

A recommendation from the Finance Committee regarding the modification of the county boards policy on the demolition of properties in Trowbridge Park, under the Community Development Block Grant Program, was read. It was moved by Comm. Steele, supported by Comm. Leone and unanimously carried on a roll call vote that the County Board concur with the recommendation and modify the board policy to allow that no lien would be placed on the property due to the demolition of the property.

A recommendation from the Finance Committee regarding a proposed change order in the construction contract, between Marquette County and Paul Smith Construction Co., on the Community Development Block Grant funded Lion's Field Recreation Project in Trowbridge Park, Marquette Township, was read. It was moved by Comm. LaMere, supported by Comm. Carlson and unanimously carried on a roll call vote, that the County Board concur with the recommendation and approve the change order, that would allow for the laying of 200 feet of underground electrical cable in the ball field area.

A recommendation from the Finance Committee regarding the Community Development Block Grants offer to purchase four parcels of dilapidated property in Marquette Township, was read. It was moved by Comm. Lowe, supported by Comm. Carlson and carried on a roll call vote that the County Board concur with the recommendation and approve the proposed purchase prices of

#2242 Moran - \$13,000
#2473 Werner - \$11,000
#2132 Summit - \$13,500
#2523 West Fair - \$16,000

for the purchase of these properties from the owners.

Ayes: Carlson, LaMere, Lowe, May, Steele, Villeneuve and Racine.

Nays: Comm. Farrell, LaPin, and Lowe.

Absent or Excused: Comm. Cheatham and Juidici.

A recommendation from the Finance Committee regarding the preliminary audit report on the 1981 Cooperative Reimbursement Program, was read. It was moved by Comm. LaMere, supported by Comm. May, and unanimously carried on a roll call vote that the County Board concur with the recommendation and accept the preliminary audit report as the final audit report for the 1981 Cooperative Reimbursement Program.

A recommendation from the Finance Committee regarding a budget amendment to the Sheriff's Dept. due to increased revenues from Sands Township, was read. It was moved by Comm. Carlson, supported by Comm. LaMere and unanimously carried on a roll call vote that the County Board concur with the recommendation and transfer \$200.00 from the Sheriff's Services Revenue Account to the Sheriff Dept. Salary Overtime account.

RESOLUTION AMENDING GENERAL FUND BUDGET

Fiscal Year 1982 Amendment No. 32

WHEREAS, a budget was adopted by the County Board to govern the expenditure of anticipated general fund receipts within the County on October 13, 1981 for the next fiscal year of the county; and,

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and,

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the aforesaid budget be hereby modified as follows:

<u>Expense Budget Account</u>	<u>Previous Budget Amount</u>	<u>Amended Budget Amount</u>	<u>Change</u>
<u>SALARY OVERTIME:</u>			
101-40-301.30-705.00	13,046.00	13,246.00	+ 200.00
<u>Revenue Budget Account</u>	<u>Previous Budget Amount</u>	<u>Amended Budget Amount</u>	<u>Change</u>
101-40-301.00-617	1,500.00	1,700.00	+ 200.00
<u>Sheriff's Services Revenue</u>			

Motion was made by Comm. Carlson, Seconded by Comm. LaMere adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

	<u>Aye</u>	<u>Nay</u>		<u>Aye</u>	<u>Nay</u>
Carlson	✓		F. Leone	✓	
Cheatham	absent		T. Lowe	✓	
Farrell	✓		S. May	✓	
Juidici	absent		C. Steele	✓	
LaMere	✓		E. Villeneuve	✓	
LaPin	✓		J. Racine	✓	

Chairperson declared the motion carried and the resolution duly adopted.

A recommendation from the Finance Committee regarding a budget transfer involving salary line items in the Sheriff's Dept. budget, was read. It was moved by Comm. Carlson, supported by Comm. LaMere, and unanimously carried on a roll call vote to concur with the recommendation and make the following amendments to the Sheriff's Dept. budget.

RESOLUTION AMENDING GENERAL FUND BUDGET

Fiscal Year 1982 Amendment No. 34

WHEREAS, a budget was adopted by the County Board to govern the expenditure of anticipated general fund receipts within the County on October 13, 1981 for the next fiscal year of the county; and,

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and,

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the aforesaid budget be hereby modified as follows:

<u>Expense Budget Account</u>	<u>Previous Budget Amount</u>	<u>Amended Budget Amount</u>	<u>Change</u>
<u>Sheriff:</u>			
Contingency	\$ 7,932.60	-\$ 33,310.40	-\$41,243
Det. Narc.-Sal. Supv.	21,975.00	24,523.00	+ 2,548
Det.-Inves.-Sal. Supv.	21,975.00	24,523.00	+ 2,548
Public Safety-Sal. Perm.	172,603.00	186,410.00	+ 13,807
P.A. 416-Sal. Perm.	62,894.00	66,474.00	+ 3,580
Rehab.-Sal. Perm.	381,709.00	384,054.00	+ 2,345
Rehab.-Overtime	25,839.00	27,389.00	+ 1,550
Rehab.-Part Time	4,078.00	18,943.00	+ 14,865
<u>Revenue Budget Account</u>	<u>Previous Budget Amount</u>	<u>Amended Budget Amount</u>	<u>Change</u>

Motion was made by Comm. Carlson, Seconded by Comm. LaMere to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

	<u>Aye</u>	<u>Nay</u>		<u>Aye</u>	<u>Nay</u>
<u>Carlson</u>	✓		<u>F. Leone</u>	✓	
<u>Cheatham</u>	absent		<u>T. Lowe</u>	✓	
<u>Farrell</u>	✓		<u>S. May</u>	✓	
<u>Juidici</u>	absent		<u>C. Steele</u>	✓	
<u>LaMere</u>	✓		<u>E. Villeneuve</u>	✓	
<u>LaPin</u>	✓		<u>J. Racine</u>	✓	

The Chairperson declared the motion carried and the resolution duly adopted.

A recommendation from the Finance Committee regarding a budget amendment to provide for all OAR/Marquette operations bookkeeping services for the period from January 1, 1982 through July 31, 1982, was read. It was moved by Comm. Carlson, supported by Comm. LaMere and unanimously carried on a roll call vote to concur with the recommendation and approve the amendment and that as of July 31, 1982 the county no longer provide bookkeeping services to OAR/Marquette and that the county inform the OAR/Marquette of this action.

RESOLUTION AMENDING NON-GENERAL FUND BUDGET

Fiscal Year 1982 Amendment No. 4

WHEREAS, budgets were adopted by the County Board on October 13, 1981 to govern receipts and expenditures of the various County funds for the next fiscal year of the County; and,

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and,

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures:

NOW THEREFORE, BE IT HEREBY RESOLVED, that the aforesaid budget be hereby modified as follows:

<u>Fund and</u> <u>Use Budget Account</u>	<u>Previous Budget Amount</u>	<u>Amended Budget Amount</u>	<u>Change</u>
OAR Fund			
Salary	--	3,475	+ 3,475
Printing	--	370	370
Office Supplies	--	35	35
Travel	--	44	44
ACC-Returned balance	--	255	255
			4,179
<u>Revenue Budget Account</u>	<u>Previous Budget Amount</u>	<u>Amended Budget Amount</u>	<u>Change</u>
Contributions	--	1,210	1,210
Grant	--	1,350	1,350
Use of Equity	--	1,619	1,619
			4,179

Motion was made by Comm. Carlson, Seconded by Comm. LaMere to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

	<u>Aye</u>	<u>Nay</u>		<u>Aye</u>	<u>Nay</u>
Carlson	✓		F. Leone	✓	
Cheatham	absent		T. Lowe	✓	
Farrell	✓		S. May	✓	
Judicial	absent		C. Steele	✓	
LaMere	✓		E. Villeneuve	✓	
LaPin	✓		J. Ruane	✓	

Chairperson declared the motion carried and the resolution duly adopted.

A recommendation from the Finance Committee regarding the payment of claims and accounts for the past month, was read. It was moved by Comm. Carlson, supported by Comm. LaMere and unanimously carried on a roll call vote, that the County Board concur with the recommendation and order claims and accounts in the amount of \$405,013.83 allowed and paid.

A recommendation from the County Controller, Duane Beard and an agreement between Marquette County and Radio Communications Section of the Division of Emergency Services of the Michigan Department of Public Health, for shared use of a Michigan Department of Public Health Radio Base Station, were read. It was moved by Comm. Lowe, supported by Comm. May and unanimously carried on a roll call vote that the County Board concur with the recommendation, enter into the agreement with the Michigan Department of Public Health and authorize the Chairperson of the County Board to execute the agreement.

A recommendation from the County Controller, Duane Beard regarding the 1982 FY Public Act 416 Grant Contract, was read. It was moved by Comm. LaMere, supported by Comm. Steele and carried unanimously on a roll call vote that the County Board concur with the recommendation and accept the grant contract and authorize the County Board Chairperson to execute the necessary documentation.

Monthly reports of the Marquette County Planning Commission and the Department of Social Services for June 1982 were accepted and placed on file.

Comm. Lowe called the County Boards attention to traffic problems that are being experienced on Little Lake Road in Chocolay Township and suggested the posting of speed limit signs, if allowed, and additional sheriff patrols, if possible. Chairperson Racine will contact the proper persons on this matter.

Comm. Carlson commented on the cost of road sign damage and other related vandalism and the possibility of punishing the individuals who cause this damage.

Comm. Steele reported briefly on the pre construction meeting he and the County Controller had with officials of Tezak Co.

Comm. LaPin spoke of courthouse problems that needed attentions and was advised to contact the Controller on these matters.

Chairperson Racine opened the meeting for public comment, none was forthcoming and Chairperson Racine closed the public comment section.

It was moved by Comm. LaMere, supported by Comm. Leone and carried unanimously on a roll call vote that the County Board go into closed session for the purpose of discussion the Applebaum litigation.

CLOSED SESSION

It was moved by Comm. Farrell, supported by Comm. Leone and unanimously carried on a roll call vote, that the County Board come out of closed session.

It was moved by Comm. Carlson, supported by Comm. Farrell and unanimously carried on a roll call vote that the County Board allocate, from the Contingency Account, an amount not to exceed \$10,000.00, for the purpose, if necessary, of hiring additional legal help, to assist the Chief Civil Counsel carry out the defense of the defendant employees and/or officers of the Mental Health Agency, past or present, and that whatever the actual expense occurred is, that Alger County be billed for their pro-rata share.

It was further moved by Comm. Carlson, supported by Comm. Farrell and unanimously carried on a roll call vote that the County Board give authority to the County Controller, to determine whether or not an additional attorney should be hired for this purpose and who that attorney will be.

It was moved by Comm. Farrell, supported by Comm. Carlson, and carried that this meeting be recessed until July 27, 1982 at 6:15 P.M.

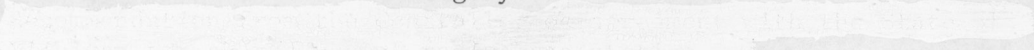
Respectfully Submitted,

Henry A. Skewis

Henry A. Skewis
County Clerk

MARQUETTE COUNTY BOARD OF COMMISSIONERS
Wednesday, July 21, 1982, 7:00 p.m.

Commissioners Room, Courthouse Annex
Marquette, Michigan

1. CALLING OF ROLL BY THE COUNTY CLERK.
2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE.
3. READING OF THE MINUTES OF THE JULY 7, 1982 MEETING.
4. PUBLIC COMMENT (time limit of 20 minutes total).
5. APPROVAL OF THE AGENDA.
6. PUBLIC HEARINGS:
 - a.
 - b.
7. PRESENTATION OF CLAIMS, PETITIONS AND COMMUNICATIONS:
 - a. Ted Oslin, Community Development Coordinator, will be present to explain a letter received by the Board from Carol Hoffman, Director, Michigan Office of Community Development, on ineligibility of county housing project for Small Cities CDBG funding.
 - b. Communication from John Beerling, Road Commission, on matching funds for federal funds to replace Carp River Bridge. Postponed from July 7, 1982 meeting.
 - c. Communication from the Controller on 1983 capital improvements program.
 - d. Communication from the Marquette Builders Exchange on awarding of the Courthouse Renovation Project.
 - e. Nominations for Commission on Aging - Townships Association category vacancy; and for opening on Alger-Marquette Community Mental Health Board - Public Officials category.
 - f. 
 - g.
 - h.
 - i.
 - j.
8. REPORTS OF STANDING COMMITTEES:
 - a. Report from Executive Committee on meeting held July 13, 1982.
 - b. Executive Committee recommendation on county representation at MAC Conference.
 - c. Executive Committee recommendation to send letter to Dr. Randall Johnson, Director, Health Department, on Board of Health Attendance Rule.
 - d. Report from Finance Committee on July 14, 1982 meeting.
 - e. Finance Committee recommendation on Notices of Intent - CDBG Program.
 - f. Recommendation from the Finance Committee on modification of Board policy concerning demolition of properties - CDBG Program.
 - g. Finance Committee recommendation on change order to contract with Paul Smith Construction - CDBG Program.
 - h. Finance Committee recommendation on purchase price for structures identified as dilapidated - CDBG Program.
 - i. Finance Committee recommendation to accept 1981 Cooperative Reimbursement Program preliminary audit report as the final audit report.

8. REPORTS OF STANDING COMMITTEES (con't.)
 - j. Recommendation from Finance Committee on use of available county equity.
 - k. Finance Committee recommendation on various budget amendments.
 - l. Recommendation from the Finance Committee on payment of bills.
 - m. Contract for loan of Radio Base Station for Central Dispatch.
 - n. Sheriff's Dept. Public Act 416 1981 funding contract.
9. REPORTS OF SPECIAL COMMITTEES:
 - a.
 - b.
10. REPORTS OF COUNTY OFFICERS:
 - a. Report from Department of Social Services for June, 1982.
 - b. Building Code Department report for June, 1982.
 - c.
 - d.
11. LATE ADDITIONS:
 - a.
 - b.
12. UNFINISHED BUSINESS:
 - a.
 - b.
13. NEW BUSINESS:
 - a.
 - b.
14. PUBLIC COMMENT.
15. ANNOUNCEMENTS.
16. ADJOURNMENT.

8d

July 14, 1982

Honorable Chair and Members of the
Marquette County Board of Commissioners
Marquette, Michigan

Ladies and Gentlemen:

A meeting of your Finance Committee was duly called and held on July 14, 1982 and copies of the minutes of that meeting have been furnished to all members of the Board of Commissioners and a copy of the minutes is attached hereto and made a part of this report.

Respectfully submitted,

FINANCE COMMITTEE

Chair
Timothy J. Lane
James J. Smith
Robert A. Johnson

July 14, 1982

The Finance Committee meeting was duly called and held on July 14, 1982 at 7:00 p.m.

Present: Commissioners Carlson, Farrell, LaMere, Lowe and Racine.

Absent: None.

In Attendance: Alan Chase, County Planner; Gary Yoder, Accounting Supervisor; Duane Beard, Controller; David Timmons, Manager, Marquette Township; Bruce Rukkila, Finance Officer; Thomas Casselman, Attorney; Edward Quinnell, Circuit Court Judge; Greg Murphy, Attorney; Donald Bays, Attorney; and Ted Oslin, Community Development Coordinator.

The meeting was called to order by the Chair. The first item of business was approval of the minutes of the June 9 and June 16 meetings. It was moved by Commissioner LaMere, supported by Commissioner Lowe and carried unanimously to approve the minutes as presented.

Public Comment: No one present wished to speak under public comment and the section was closed.

Approval of the agenda: It was moved by Commissioner Lowe, supported by Commissioner LaMere and carried unanimously to approve the agenda as presented.

Gary Yoder, Accounting Supervisor, was present for the audit of the bills. The bills presented for approval were in the amount of \$405,265.33. Following review, it was moved by Commissioner LaMere, supported by Commissioner Farrell and carried unanimously to recommend to the Board approval of the bills in the amount of \$405,265.33.

Alan Chase, County Planner, was present to discuss a budget amendment to the 1982 Planning Commission salary line items. Communications from Alan Chase and Bruce Rukkila, Finance Officer, on the request were received. Mr. Chase stated in his memo to the Committee that he anticipates a budget shortfall of \$8,500 for Construction Code personnel salaries due to a lower amount of inspections under the CDBG program and therefore less revenues for salaries from that source. Mr. Chase requested a budget amendment in that amount. In his memo Mr. Rukkila indicated that the 1983 recommended budget calls for a reduction in the staffing level for the Planning Commission. Based on that recommendation, he recommended that the staffing reduction occur as of September 1, 1982 rather than January 1, 1983 thus eliminating the need for a budget amendment for personnel salaries.

Alan Chase noted the Planning Commission staff has completed the revision of the county comprehensive plan and the solid waste management plan. He said the number of building permits is up somewhat from last year but the amount of fees received are down because most of the permits issued are for renovation or additions to existing structures. He noted the proposal presented to the Committee by Mr. Rukkila has not been discussed by anyone in the Planning Commission. Bruce Rukkila said the Planning Commission is aware of the proposed reduction in the 1983 budget, although apparently was not notified of putting the reduction into affect September 1, 1982. Duane Beard said placing inspectors on half-time, as proposed in the 1983 budget recommendation, rather than paying them on a "time and materials" basis is a less drastic cut because it will allow the employees to maintain their fringe benefits. The Controller said if the cuts are made and staff

affected decide to terminate their employment the county should consider paying inspectors based on number of inspections made.

Commissioner Farrell questioned how much notice is required to be given to employees that will be affected by the budget reductions. He felt the Planning Commission should have an opportunity to discuss the proposal before action is taken by the Board. Duane Beard said a minimum of 14 days notice is required. It was moved by Commissioner Farrell and supported by Commissioner LaMere to postpone action until the August 11, 1982 Finance Committee meeting. Commissioners Carlson and Farrell said at this time they are leaning toward the reduction but want to allow the Planning Commission an opportunity to discuss it. Following discussion the motion carried unanimously.

Commissioner Farrell said the Committee should inform the Planning Commission of the proposal so they may have it on their next meeting's agenda. A communication will be sent by the Committee advising the Planning Commission of the proposal and that the Committee intends to act on it on August 11 with the intent to submit a recommendation to the Board on August 18, 1982 if appropriate. Alan Chase left the meeting.

Judge Edward Quinnell, Circuit Court, and Attorneys Thomas Casselman, Donald Bays, and Greg Murphy were present to discuss court appointed attorney fees. Donald Bays said the purpose of their attendance is to provide information to the Committee on court appointed fees and to express their concerns with the present fee paid. Mr. Bays said attorneys appointed by the court are drawn from a list of attorneys who volunteer their services for that purpose. If there isn't anyone willing to act as a court appointed attorney then there is a problem. He said 13 of the 86 bar members are willing to take criminal appointments; 25 are willing to take Probate Court appointments. In response to a question by Commissioner Farrell, Donald Bays stated the Judge may appoint an attorney to represent an indigent if there are no volunteers willing to do so.

Mr. Bays said he feels he has a moral obligation to act as a court appointed attorney. Also, as a businessman he must run his business on a profit. He believes there is a problem with the rate at which court appointed attorneys are being paid, which is \$30 per hour. The average attorney in Marquette County charges between \$60 to \$100 per hour. The present court appointed fee does not allow him to meet overhead costs, therefore he must spread the cost of running his office among other clients. He said this is a form of taxation on his regular clients.

Greg Murphy said \$25 of the \$30 he received as a court appointed attorney goes to overhead costs. He said he polled other counties in the Upper Peninsula to determine what court appointed attorneys in those counties receive. Chippewa and Mackinac Counties pay the same amount as Marquette County. Alger, Luce and Schoolcraft Counties pay \$25 per hour to court appointed attorneys. Delta County pays \$40 per hour. Donald Bays said Menominee County pays \$40 per hour also.

Thomas Casselman said eastern U.P. counties pay \$25 to \$40 per hour for court appointed attorneys, and counties in the western U.P. pay between \$35 and \$40 per hour. He said the Judge has the power to appoint an attorney to serve an indigent client. Mr. Casselman believes many of the older attorneys in the County have been out of this type of work for a long time and would not know how to do it. He said presently court appointed attorneys are appointed on a rotating basis, except in the event where a case merits appointment of an attorney with more experience in a given area. In that instance, the Judge will assign the case to an attorney with the appropriate type of experience. Mr. Casselman said it costs him \$5 per hour to represent indigents. He noted in prison cases the defense attorney costs incurred by the county are reimbursed 100% by the state, as well as witness fees and a portion of the Prosecuting Attorney's costs. He said when these funds are reimbursed they go into the General Fund and not to court appointed attorneys. When an indigent client repays the county for court appointed attorney fees that money also goes into the General Fund. He said the Supreme Court of Iowa ruled that court appointed attorneys must receive the same fee they would receive from a regular client. He noted an alternative to court appointed attorneys is a Public Defender system. He said with a Prosecuting Attorney's budget of \$300,000 the county could not get by with a Public Defender Office that would cost less than the court appointed attorney system.

Judge Quinnell said he realizes court appointed attorneys have a problem. He noted at the end of June, 1982 \$95,000 has been spent for Circuit Court appointed attorney fees and the entire budget for 1982 was set at \$80,000. He said he will be asking the Committee for an \$110,000 increase to that line item. He noted the state has been billed for \$80,000 for prison cases and \$24,000 has been reimbursed to date.

Commissioner Carlson said the Board has some control over the Prosecuting Attorney's budget but as an elected official the Prosecuting Attorney had the authority to decide to try all the prison riot cases. Commissioner Carlson said the County Board discussed establishing a Public Defender's Office some years ago and one argument received from the local bar association was that attorneys appointed to represent these cases have set overhead costs and the county is saving money by this system rather than establishing a Public Defender Office where they would have to pay for office space, utilities, etc. The Board was told that one reason why attorneys are willing to accept a lower court appointed attorney fee was because of their fixed overhead costs. The court appointed system also provides business to members of the Bar who do not have a full client load. He noted the financial problems the county is facing at this time. Commissioner Farrell said he is not opposed to the attorneys' view but wanted to make it clear that the Judges may appoint an attorney to serve an indigent irregardless of an attorney's willingness to do so. He felt attorneys should receive the same amount for court appointed cases as they receive from a full paying client. He said he will not act on the matter until a request is submitted from the Judges on court appointed attorney fees.

In response to a question by Commissioner LaMere, Tom Casselman said every year there are more court appointed cases.

Donald Bays noted the staff size of the Prosecuting Attorney's Office affects the amount of cases that go to court. The more cases the higher the costs. Commissioner Carlson questioned why the county bar and Judges did not provide more information on cost of prosecution as that is an important issue, and appears to be of concern to them. Commissioner Lowe noted he sent a letter to the Committee last year on the cost of the Prosecuting Attorney's Office. Tom Casselman said they would respond to any invitation for information. Judge Quinnell and the attorneys then left the meeting.

Ted Oslin, Community Development Coordinator, was present to discuss matters related to the CDBG Program. David Timmons, Manager, Marquette Township, was present for the discussion on the Marquette Township CDBG Project.

A memo was received from Ted Oslin on Notices of Intent from local units requesting that the county submit applications for CDBG assistance on their behalf. The Notices of Intent are for the following projects:

1. Skandia and West Branch Townships - Skandia Water System Project in the amount of \$410,000.
2. Skandia Township Reconstruction of County Road 533 in the amount of \$425,000. According to the Notice the reconstruction of the road is a prerequisite to plant expansion of Johnson's Sawmill.
3. Powell Township - Big Bay Water System Project in the amount of \$450,000. According to the Michigan Department of Public Health the current water supply ranks among the poorest in the northern peninsula.

Mr. Oslin said each project is consistent with the county comprehensive plan. He will present full applications for the projects to the Committee at their next meeting. There is no deadline date for submitting the project applications.

It was moved by Commissioner LaMere, supported by Commissioner Lowe and carried unanimously to recommend to the Board to authorize submission of the Notices of Intent for CDBG funding for the aforementioned projects, and authroze the Board Chair to execute the Notices.

A memo was received from Ted Oslin on clearance activities in Marquette Township funded through the CDBG. Mr Oslin stated 33 dilapidated structures have been identified for possible demolition. He noted in July, 1981 the County Board decided to use code enforcement to force property owners to clear their property and if they would not cooperate that the CDBG clearance money would be used and a lien placed against the property. He requested that that policy be modified so that no lien would

be placed against the property. He felt by doing so the removal of the dilapidated structures could take place within two months.

Duane Beard said at the time the Board first considered this matter it was decided that no grants would be made but that loans for demolition would be issued. The modified policy would result in a direct grant to people to demolish their buildings. The original intent was to have the township pursue this through building code enforcement but this has not been successful. Dave Timmons explained the scope of the program in Marquette Township. He said the program will affect 50 to 60 homes through demolition, acquisition, or rehabilitation. The modified policy would avoid possible litigation and hard feelings that enforcement of code could result in. No liens have been placed on any properties at this time. Ted Oslin said HUD believes the modified procedure is a good idea. The policy change will not affect funding.

It was moved by Commissioner Farrell, supported by Commissioner Racine and carried unanimously to recommend to the Board to concur with Ted Oslin's recommendation on clearance activities in Marquette Township.

A communication from Ted Oslin on a Lion's Field recreation project contract change order was presented. The request is to increase the contract between the county and Paul Smith Construction by \$160 to enable placement of underground electrical cable in the field area for a future outlet. It was moved by Commissioner Lowe, supported by Commissioner LaMere and carried unanimously to recommend to the Board to allow the change order to take place, and to authorize the Board Chair to sign the change order.

The Committee received a memo from Bruce Rukkila, Finance Officer, on acquisition and sale of dilapidated property - 1981 CDBG. The following properties were assessed by two realtors and a recommendation for a purchase price offer was prepared by the Equalization Director.

1. 2242 Moran - \$13,000 proposed purchase price.
2. 2473 Werner - \$11,000 proposed purchase price.
3. 2132 Summit - \$1,500 proposed purchase price.
4. 2523 West Fair - \$16,000 proposed purchase price.

It was noted the purchase prices recommended by the Equalization Director as fair are considerably lower than the homes' assessed values. Bruce Rukkila said the assessed values (half of true cash value) for the properties are as follows:

1. 2242 Moran - \$11,700
2. 2473 Werner - \$12,200
3. 2132 Summit - \$10,040
4. 2523 West Fair - \$10,100

It was moved by Commissioner Racine, supported by Commissioner LaMere and carried unanimously to recommend to the Board to approve the budget amendment of \$4,179 as it will provide for all OAR operations for the period from January 1, 1982 through July 31, 1982 and that the Board indicate to OAR/Marquette that as of July 31, 1982 county bookkeeping services for them will cease, and they should become responsible for their own operations.

The Committee considered a budget amendment of \$2,500 from the Contingency Account to the Public Improvements Fund for the purchase of a public address recording system for the Commissioner's Room. It was moved by Commissioner Farrell, supported by Commissioner LaMere and carried unanimously to recommend to the Board to approve the amendment.

A communication from Dominic J. Jacobetti on Marquette County's state reimbursement for the County Snowmobile Safety Program and County Marine Safety Program was read. Duane Beard said the funding allocated amounts to \$1,500 less than budgeted.

A copy of a communication from Darryl Sundberg, Drain Commissioner, to Michael Etelemaki, Public Works Director, City of Marquette, and David Timmons, Manager, Marquette Township, regarding Badger Creek Drain and Whetstone Brook Drain drainage districts was presented for the Committee's information. David Timmons was present for the Committee's review of the communication. Mr. Timmons said the township received violent opposition to the district. He said it is possible the township may reimburse the funds owed for the districts but that it would depend on what happens with the district. He reviewed problems encountered with the establishment of the district. It was noted establishment of drainage district is under the authority of the Drain Commissioner and is not a matter of the County Board.

A copy of a communication from Duane Beard to the Office of Child Support on final report of audit on Cooperative Reimbursement Program for 1981 was received for the Committee's information. Also received was a memo from the Controller recommending that the audit report be accepted. It was moved by Commissioner Farrell, supported by Commissioner Lowe and carried unanimously to recommend to the Board to accept the final audit report for the Cooperative Reimbursement Program for 1981.

A copy of a communication from Larry Stone, Administrator, Acocks Medical Facility, to Bruce Rukkila, County Finance Officer, on 1982 budget information was provided the Committee.

Resolutions from Ishpeming Township; Ely Township; and City of Negaunee opposing relocation of Ishpeming District Court to Marquette were presented for the Committee's consideration during the budget process.

A joint recommendation from Duane Beard, Gary Yoder and Bruce Rukkila on use of available county equity was presented to the Committee in a communication prepared by Bruce Rukkila. The communication listed year-end fund balances of county budgetary units receiving non-general fund appropriations for the year ended December 31, 1981. The balance was in the amount of \$602,328. Rukkila stated the Mental Health Agency's fund balance is \$134,099. About 11% of this is due to Alger County and it is possible \$70,000 of the fund balance may be due to the State of Michigan. Thus the recommended amount for recapture from the department is \$49,349.

Also provided was a recommendation on use of this equity for capital improvements, litigation, Contingency Account and to balance the 1983 budget. It was recommended that \$177,000 be appropriated to the 1982 Contingency Account. It was moved by Commissioner Farrell, supported by Commissioner LaMere and carried unanimously to recommend to the County Board that \$177,000 be appropriated to the Contingency Account from the unappropriated general fund fund balance.

Duane Beard provided the Committee a copy of a newspaper article on taxpayers' demands for lower taxes but more services.

The Committee received the recommended 1983 budget. The recommended budget contains a \$350,000 deficit. Commissioner Carlson believed staff should be asked to cut an additional \$200,000 from the budget, and that the Committee should attempt to cut \$100,000 from the budget.

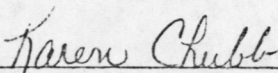
The Controller reviewed budget cuts recommended in the 1983 budget. Commissioner Carlson felt the county should be careful how the Budget Stabilization Fund is spent and that the Board must consider cutting existing services. He believed they should attempt to use no more than \$100,000 of that Fund to balance the 1983 budget. Duane Beard reported that anticipated revenues for 1983 are \$37,000 less than 1982 revenues. The projected increase in the 1983 budget is 2.7%. The Controller reviewed various materials included in the budget packet. The Controller said working session dates must be set for August. Commissioner Carlson said that can be done at the July 19th Committee of the Whole meeting.

The capital improvements budget for 1983 was reviewed. It included \$282,000 for the courthouse renovation project. Commissioner Farrell believed funds should be appropriated this year from the available equity for completion of the project. It was moved by Commissioner Farrell, supported by Commissioner LaMere and carried unanimously to recommend to the Board to transfer \$293,000 from unappropriated general fund fund balance to the Courthouse renovation project.

Commissioner Carlson instructed the staff to prepare \$200,000 in additional cuts to the 1983 budget, and he felt the Committee should attempt to cut \$100,000. Commissioner Carlson suggested the Committee meet for the sole purpose of reviewing the 1983 budget.

The meeting adjourned at 10:10 p.m.

Respectfully submitted,



Karen Chubb, Commission Aide